

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE TREMONT SECURITIES LAW,  
STATE LAW AND INSURANCE  
LITIGATION

Master File No.  
08 Civ. 11117 (TPG)

ECF Case

**NOTICE OF WITHDRAWAL OF  
FUTURESELECT PRIME ADVISOR II  
LLC'S MOTION TO DISMISS THE  
DERIVATIVE CLAIMS BROUGHT  
ON ITS BEHALF BY  
PLAINTIFF JOHN DENNIS**

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By this Notice, FutureSelect Prime Advisor II LLC ("FutureSelect") withdraws its Motion to Dismiss the Derivative Claims Brought On Its Behalf By Plaintiff John Dennis [D.E. #354] as refiled on May 11, 2011 [D.E. #456].

On May 24, 2011, Plaintiffs filed a Notice of Dismissal of Claims Asserted by Plaintiff John Dennis which dismisses all derivative claims brought by Dennis with prejudice. [D.E. #522]. In light of the dismissal of Dennis' claims, FutureSelect respectfully withdraws its Motion to Dismiss the Derivative Claims Brought On Its Behalf By Plaintiff John Dennis and will not appear at the June 1, 2011 Fairness Hearing.

DATED this 31th day of May, 2011.

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